



# State of Utah

DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF WATER RIGHTS

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9 April 2002

Mr. Tony Dalton, President  
Little Creek Field & Canal Co.  
PO Box 600246  
PARAGONAH UT 84760-0246

Mr. Arthur Evans  
PO Box 309  
PAROWAN UT 84761

**RECEIVED**  
APR 12 2002  
**WATER RIGHTS  
SALT LAKE**

## RE: FIELD INVESTIGATION OF MEADOWS NEAR HEADWATERS OF LITTLE CREEK

Gentlemen:

This letter is written to memorialize the referenced field investigation which was conducted earlier this same date. The following persons were present:

<u>NAME</u>	<u>REPRESENTING</u>
Arthur Evans	Landowner of "meadows" properties
Dan Evans	Landowner of "meadows" properties
Doug Evans	Landowner of "meadows" properties
Tony Dalton	President, Little Creek Field & Canal Co.
Albin Judd	Board Member, Little Creek Field & Canal Co.

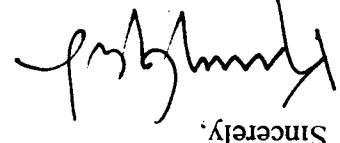
The investigation was prompted by a contact with this office by Mr. Tony Dalton on 05 April 2002, expressing a concern that activities undertaken by Mr. Arthur Evans ("Mr. Evans") or his agents were having the result of intercepting or impairing the natural flows of Little Creek such that the Little Creek Field and Canal Company ("the company") was being deprived of water to which the company had rights under Water Right No. 75-1380.

To summarize the findings of today's visit, it is noted that the waters of this portion of Little Creek, above the confluence with Mortensen Creek, pass through two natural meadow areas which we generally referenced as the "lower meadow" and "upper meadow." The upper meadow area appears to be located primarily in the SW $\frac{1}{4}$  of Section 34; the lower meadow area is within the SW $\frac{1}{4}$  of Section 33, both within T33S, R7W, SLB&M.(see attached portion of USGS topographic map "Cottonwood Mtn., Utah" on which I have roughly outlined these areas).

The upper meadow area appears to remain in an undisturbed and natural state and there did not appear to be any problems associated with that site. At the higher end of the lower meadow area, reportedly as an erosion control measure, Mr. Evans had constructed an earthen berm which was

Region Engineer

Kerry Carpenter, P.E.



Sincerely,

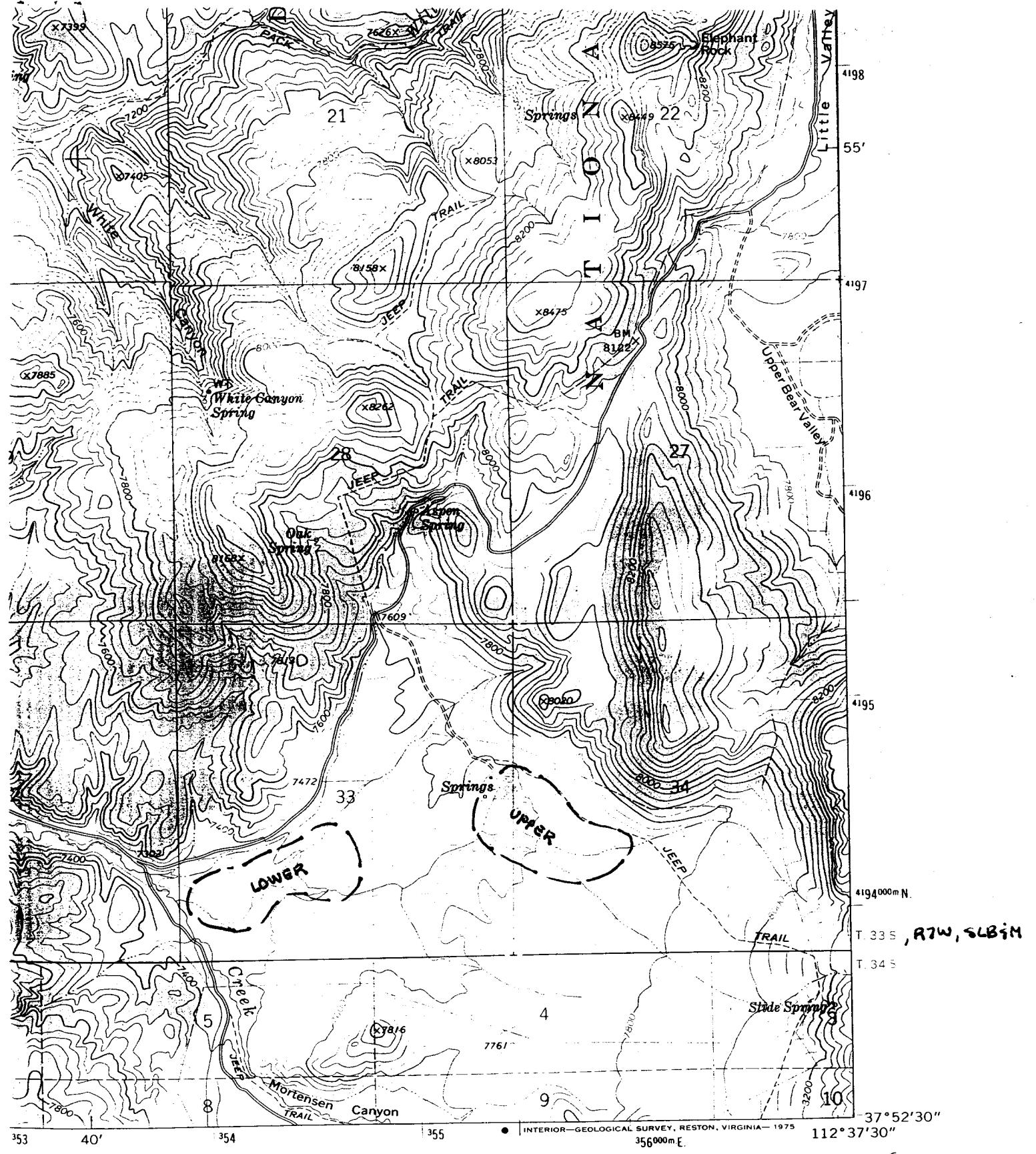
I want to thank all parties for your cooperation and for your reasonable and practical involvement in this matter. This office certainly recognizes that this is a difficult water year and that the maximum conservation and beneficial use of water will be critical. Your efforts to further these goals is appreciated and commended.

Mr. Judd would re-visit the site in about a week to verify that the work had been completed and flow to the remnants of the channel evident in the lower meadow area. It was also agreed that Evans' discretion, but with the understanding that the work would allow efficient and unimpeded flow of the openings - whether to consist of headgates or manually shoveled outlets - was left to Mr. concentration the flow in a manner that would result in undue erosion of the channel. The design was functioning as desired.

Mr. Judd allowed that several openings would be necessary to avoid the lower meadow area. It was agreed that all the diverted water from Little Creek channel would re-enter the natural channel in such that the diversion which should be allowed to pass down the creek channel would result in the deployment and consumption of water which is reasonably possible, to provide several openings in the "bumps" agreed, effective as soon as is reasonably possible. Mr. Evans the diverting and spreading of the water from the creek channel would result in the deployment and mitigation period (March 15 through October 31) and with the "greening" of the meadow areas, management practice and would not impair the rights of the company. However, during the non-mitigation season (November 1 through March 14) was probably beneficial as a watershed After some discussion, all parties appeared to agree that the use of the "bumps"/ditches during the

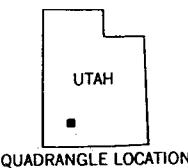
trying to avoid by use of the two "bumps" around the lower meadow area.

the confluence of Little Creek and Mortensen Creek as evidence of the kind of problems he was or seep areas above the ditch. Mr. Evans pointed out the serious erosion problems in the area of ditch was also carrying a small amount of water and was also picking up some water from spring encampaased the lower meadow area along the SE and NW perimeter. The SE ditch was carrying a stream of water that was flowing to the end of the ditch and pooling there. The NW diversion the flows from the upper meadow into two ditches ("bumps") which roughly



#### ROAD CLASSIFICATION

Primary highway, hard surface	Light-duty road, hard or improved surface
Secondary highway, hard surface	Unimproved road
	=====
Interstate Route	U. S. Route
	State Route



LEVENMILE RIDGE  
3459' SE

COTTONWOOD MTN., UTAH  
N3752.5-W11237.5/7.5